IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.:	10/757,859	:	Confirmation No.: 4616
Appellant:	Laurent Launay	:	Group Art Unit: 2628
Filed:	January 15, 2004	:	Examiner: Lay, Michelle K.
Docket No.:	14XZ126397/GEM-0128	:	

For: METHOD AND DEVICE FOR IMAGING WITH REORIENTATION OF AN OBJECT

July 20, 2006

Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF

I. REAL PARTY IN INTEREST

The real party in interest in this appeal is GE Medical Systems Global Technology Company, LLC, as evidenced by an assignment document recorded on September 22, 2004, on Reel 015166, Frame 0118.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences known to Appellant, Appellant's legal representatives, or assignee that will directly affect, be directly affected by, or have a bearing on the Board's decision in the pending appeal.

III. STATUS OF THE CLAIMS

Claims 1-3, 7-9, 11-13, 15-18, 20-28, 30-37, 39-47 and 49-58 stand finally rejected by the Examiner as noted in the Advisory Action Paper No. 20060315 dated March 21, 2006. Claims 4-6, 10, 14, 19, 29, 38 and 48, are canceled. The rejection of Claims 1-3, 7-9, 11-13, 15-18, 20-28, 30-37, 39-47 and 49-58, is appealed.

IV. STATUS OF THE AMENDMENTS

Appellant's amendment dated February 22, 2006, submitted subsequent to the Examiner's Final Rejection was entered by the Examiner upon the filing of this Appeal.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Claims 1 and 56 are independent claims. A summary of the subject matter presented in each of the independent claims involved in the appeal is provided with reference to the specification and drawings. It is understood that the reference to the specific embodiments in the specification and drawings is provided for reasons relating to this appeal and is not intended to limit the scope of the claims.

Claim 1

Claim 1 is directed to an imaging device (Figures 1-5, Paragraphs [0009], [0017] and [0035-0037]) having means for display (2, Figures 1-5, Paragraph [0018]), means for processing (4, Figures 1-5, Paragraph [0018]) image data in order to display the data in the form of a 3D model, and a user interface (6, Figures 1-5, Paragraph [0018]). The means for processing is configured to acquire at least two points (10 and 20, Figures 1-5, Paragraph [0019]) positioned in the 3D model via the user interface, to deduce the positioning of an axis (100, Figures 1-5, Paragraph [0018]) defined by the two points in the 3D model, and to reorient the 3D model such that the axis is in a predefined orientation relative to a plane of the means for display (see Paragraph [0021]). The means for processing is configured to orient the 3D model in such a manner that the axis defined by the two points indicated by the user is parallel to the plane of the means for display (see also Paragraph [0021]).

Claim 56

Claim 56 is directed to a method for displaying a 3D model in imaging (Figures 1-5, Paragraphs [0010] and [0019]). The method includes: providing means for display (2, Figures 1-5, Paragraph [0018]), providing means for processing (4, Figures 1-5, Paragraphs [0018]) in order to display data in the form of a 3D model, and providing a user interface (6, Figures 1-5, Paragraph [0018]) fitted to the means for processing. At least two points (10 and 20, Figures 1-5, Paragraph [0019]) in the 3D model are positioned by means of the user interface, causing the means for processing to deduce therefrom the position of an axis (100, Figures 1-5, Paragraph [0018]) defined by the points on the 3D model, and causing the means for processing to reorient

the 3D model such that the axis lies in a predefined orientation relative to and parallel with a plane of the means for display (see Paragraph [0021]).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

A). Claims 57 and 58 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement.

B). Claims 1-3, 7-9, 11-13, 15-18, 20-28, 30-37, 39-44 and 56, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ono et al. (U.S. Patent No. 5,588,097, hereinafter Ono).

C). Claims 45-47 and 49-55 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ono in view of Gillio (U.S. Patent No. 5,704,791, hereinafter Gillio).

VII. ARGUMENT

A). Claims 57 and 58 comply with 35 U.S.C. §112, first paragraph.

The Examiner comments that the term "carrier" is so broad that it is unclear as to what it pertains to. Paper 20051107, page 4.

The Examiner has also commented that "If the claims stated 'A computer program stored on computer-readable medium', the [prior] 35 USC §101 rejection would be withdrawn." Paper 20050726, page 5.

Appellant has amended Claims 57 and 58 to remove the objectionable term "carrier", thereby obviating the present rejection, and to include the phrase "A computer program stored on computer-readable medium", as previously suggested by the Examiner, thereby traversing the prior rejection.

In view of the foregoing, Appellant respectfully submits that the specification complies with the enablement and written description requirements of 35 U.S.C. §112, first paragraph, and therefore respectfully requests reconsideration and withdrawal of this rejection.

B). Claims 1-3, 7-9, 11-13, 15-18, 20-28, 30-37, 39-44 and 56, are patentable under 35 U.S.C. §103(a) in view of Ono, as Ono fails to teach or suggest each and every element of the claimed invention arranged so as to perform as the claimed invention performs, (*In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988), and MPEP §2143.03), and a modification f

Ono as suggested by the Examiner would render Ono unsatisfactory f r its intended purpose, (*In re Gordon*, 221 USPQ 1125 (Fed. Cir. 1984); MPEP §2143.01).

Regarding Independent Claims 1 and 56

Claim 1 recites, inter alia:

"...wherein the means for processing is configured to acquire ***at least two points positioned in the 3D model*** via the user interface, to deduce the positioning of ***an axis defined by the two points in the 3D model***, and to ***reorient the 3D model*** such that the axis is in a predefined orientation relative to a plane of the means for display; and

wherein the means for processing is configured to ***orient the 3D model in such a manner that the axis defined by the two points indicated by the user is parallel to the plane of the means for display.***"

Claim 56 recites, inter alia:

"...positioning ***at least two points in the 3D model*** by means of the user interface;

causing the means for processing to deduce therefrom the position of ***an axis defined by the points on the 3D model***; and

causing the means for processing to ***reorient the 3D model such that the axis lies in a predefined orientation relative to and parallel with a plane of the means for display.***"

Dependent claims inherit all of the limitations of the respective parent claim.

The Examiner alleges under 35 U.S.C. §103(a) that the claimed invention is unpatentable over Ono. Final Action Paper No. 20051107, page 4.

The Examiner alleges that Ono teaches all of the limitations of the claimed invention with the exception of explicitly disclosing orienting the 3D model parallel to the plane of the means for display. To cure this deficiency, the Examiner alleges that Ono teaches rotating a 3D object around the O-P0 axis at an angle specified by three points, and that it would have been obvious to one of ordinary skill in the art ***to set points P2 and P3 to equal P0 in order for the angle of rotation α to equal zero so that the 3D model orients itself with the display***. Paper 20051107, pages 4, 5 and 7. Emphasis added.

The Examiner also alleges that "...in the case of Ono, ***the spherical surface is part of the 3D model.***" Advisory Action Paper No. 20060315, page 2. Emphasis added.

The Examiner further alleges that "...since the user is defining the two points for the axis, it is not invalid to have the user of Ono define the points P2 and P3 equal to P0. ***Therefore, by***

defining the points as such, the system of Ono reorients the 3D object parallel with the display." Advisory Action Paper No. 20060315, page 2. Emphasis added.

The Examiner yet further alleges "Furthermore, it would have been obvious to one of ordinary skill in the art ***to reorient the object in order to have a starting point prior to rotating the object.***" Advisory Action Paper No. 20060315, page 2. Emphasis added.

Appellant respectfully disagrees that Ono teaches ***each and every element of the claimed invention arranged so as to perform as the claimed invention performs.*** Appellant's paper "Amendment Under 37 CFR 1.116", dated February 22, 2006, pages 14-18.

In a first instance, Appellant respectfully submits that Ono teaches "***an object in three-dimensional space*** to be subjected to rotation" as represented by "reference numeral ***21***", and "a ***semitransparent spherical surface*** (represented by reference numeral ***22***) that is displayed in the figure rotation mode so as to enclose the object 21." Ono at column 3, lines 22-27, and Figure 2. Emphasis added.

Appellant further submits that Ono teaches that "***First, the data of the three-dimensional figure of the object 21 to be processed*** which has been generated in the image generating section 2 in the image generation mode, is read out and displayed on the display screen 6 (step 31). ***Then, the semitransparent spherical surface 22 is superimposed*** on the figure of the object 21 (step 32)." Ono at column 3, lines 28-35. Emphasis added.

Also, Appellant submits that Ono teaches that the semitransparent spherical surface 22 is ***independently generated*** by a surface generating device 14. Ono at column 4, lines 10-12.

Here, Appellant finds Ono to teach ***a 3D object 21 that is distinctly different from a semitransparent spherical surface 22.*** First, the 3D object 21 is generated and displayed, then the spherical surface 22 is separately generated and subsequently superimposed on the 3D object 21. Thus, Appellant submits that Ono teaches that the spherical surface 22 is ***not a part of*** the 3D model.

In alleging obviousness, the Examiner alleges that "...in the case of Ono, ***the spherical surface is part of the 3D model***", which Appellant submits is entirely contrary to the teaching of Ono. If the 3D object 21 and spherical surface 22 were part of the same 3D model as alleged by the Examiner, then the 3D object 21 could not be generated independently of the spherical surface 22, and the spherical surface 22 could not be separately generated and subsequently

superimposed on the 3D object 21, which is the intended purpose taught by Ono (see Ono at column 3, lines 28-35, and as discussed above).

Accordingly, Appellant submits that Ono does not teach or suggest each and every element of the claimed invention ***arranged so as to perform as the claimed invention performs,*** and that a modification as alleged by the Examiner would ***render Ono unsatisfactory for its intended purpose since the two elements 21 and 22 would no longer be separate and every object display would necessarily include a spherical surface display.***

In a second instance, Appellant respectfully submits that Ono teaches "When point P0 and P1 are the same point ***on the spherical surface 22 (not the object 21),*** the object ***rotates about the axis (O-P0)*** by the ***rotation angle α by specifying P0 and then determining point P2 and P3.***" Ono at column 3, lines 61-65. Appellant's Amendment Under 37 CFR 1.116, page 16.

Appellant further submits that Ono teaches "***a point P2 on the spherical surface 22...*** indicated by a marker as the rotation start point... ***another point P3 on the spherical surface 22,*** so that the angle P2P1P3 (or P2P0P3, where P0 and P1 are the same point) defines a rotation angle α about the axis O-P1 (or O-P0, where P0 and P1 are the same point)...". Ono at column 5, lines 33-38. Appellant's Amendment Under 37 CFR 1.116, page 16.

Here, Appellant finds Ono to teach a rotation angle α defined by angle P2P0P3, and a rotation about axis O-P0 (where P0 and P1 are the same point).

In alleging obviousness, the Examiner alleges that "...it is not invalid to have the user of Ono define the points P2 and P3 equal to P0", which Appellant submits would result in a null angle of rotation since now P2=P3=P0, thereby resulting in the angle of rotation α being zero. As such, modifying Ono as alleged by the Examiner would not only render Ono unsatisfactory for its intended purpose, but would also fail to result in the claimed invention performing as the claimed invention performs.

Also, in alleging obviousness, the Examiner alleges that "***Therefore,*** by defining the points as such, ***the system of Ono reorients the 3D object parallel with the display.***" (Emphasis added). Here, Appellant finds no teaching in Ono to support the allegation that by defining P2=P3=P0 the system of Ono actually results in automatically reorienting the 3D object ***parallel with the display,*** and the Examiner has not shown with any degree of specificity where Ono does teach such an arrangement.

Accordingly, Appellant submits that Ono does not teach or suggest each and every element of the claimed invention ***arranged so as to perform as the claimed invention performs***, and that a modification as alleged by the Examiner would ***render Ono unsatisfactory for its intended purpose since points P2 and P3 are used to define the rotation angle α (see Ono Figures 4(c) and 9, column 3, lines 61-65, and column 5, lines 33-39)***.

In a third instance, Appellant respectfully disagrees with the Examiner's allegation that "Furthermore, it would have been obvious to one of ordinary skill in the art ***to reorient*** the object in order to have a starting point ***prior to rotating*** the object." Emphasis added.

Here, it appears that the Examiner is alleging obviousness of the claimed invention by stating that one of ordinary skill in the art would want ***to first reorient an object*** in order to have a starting point ***prior to further rotating the object***.

Appellant respectfully submits that the ***apparent dual rotation*** alleged by the Examiner is entirely contrary to the purpose of the claimed invention, which is to select two points of a 3D model (such as an aneurysm that may appear as a slight bulge on the margin of the vessel carrying it), thereby defining an axis that is ***rotated once*** to be parallel with the display screen for easier visualization of the aneurysm. Paragraph [0019] of Appellant's Application as originally filed.

As such, Appellant submits that Ono does not teach or suggest each and every element of the claimed invention arranged ***so as to perform as the claimed invention performs***.

Regarding Dependent Claims 26-28 and 30-34

Claims 26-28 and 30-34 recite, inter alia:

"...wherein the means for processing (4, Figures 1-5, Paragraph [0018]) acquires ***at least three points positioned in the 3D model*** (10, 20 and 30, Figures 4-5, Paragraphs [0036-0037]) by means of the user interface (6, Figures 1-5, Paragraph [0018]), ***to deduce two axes therefrom*** each passing through a pair of the points (100 and 200, Figures 4-5, Paragraph [0036-0037]), and ***to reorient the 3D model in such a manner that the two axes are substantially parallel to the means for display*** (Paragraphs [0036-0037])."

In alleging obviousness, the Examiner incorporates the rationale applied to Claim 1 above, and further remarks that O-P0 defines one axis, O-P1 defines another axis, and that "Since both points, i.e. P0 and P1 are x, y coordinates, ***it can be concluded*** that the axis formed

with these points, i.e. O-P0 and O-P1, are parallel to the display". Final Action Paper No. 20051107, page 9, last three lines. (Emphasis added).

Appellant respectfully submits that Ono teaches that "the semitransparent spherical surface 22 having the fixed point as its center O is generated by the semitransparent spherical surface generating device 14...". Ono at column 4, lines 10-12.

Here, Appellant finds Ono to teach a center point O that is the center of spherical surface 22, which is not ***necessarily*** located in the same x-y plane as points P0 and P1. As such, Appellant submits that axes O-P0 and O-P1 are not ***necessarily*** parallel to the display, and therefore it ***cannot be concluded***, as alleged by the Examiner, that the two axes formed with these points are parallel to the display. Alternatively, if P0 and P1 are x, y coordinates and co-planar with center point O, then the 3D model is not ***"reoriented"*** as claimed in the present invention since the two axes would already be parallel to the plane of the display.

As such, Appellant submits that Ono does not teach or suggest each and every element of the claimed invention arranged ***so as to perform as the claimed invention performs***.

For at least these reasons, Appellant respectfully submits that the Examiner has failed to show where Ono teaches or suggests each and every element of the claimed invention arranged so as to perform as the claimed invention performs, and therefore requests withdrawal of the obviousness rejection under 35 U.S.C. §103(a) and allowance of the noted claims.

Regarding Dependent Claims 35-37 and 39-44

Claims 35-37 and 39-44 recite, inter alia:

"...wherein the means for processing (4, Figures 1-5, Paragraph [0018]) acquires a plurality of points (10, 20, 30 and 40, Figure 5, Paragraphs [0037-0039]), to deduce a plurality of axes therefrom (100, 200 and 300, Figure 5, Paragraph [0037-0039]) that are not all mutually parallel, each passing through a different pair of points selected from the plurality of points, ***and to reorient the 3D model bringing the set of the axes as close as possible to parallel with the plane of the means for display*** (Paragraphs [0037-0039])."

In alleging obviousness, the Examiner incorporates the rationale applied to Claim 1 above, and further remarks that "Depending on an instruction from the user, an axis connecting the center O of the spherical surface (22) and the first-input point P0 is also displayed [col. 4, lines 39-41], as well as a line segment OP1 connecting the point P1 and the center O (... claims 35-44: deduce a plurality of axes therefrom that are not all mutually parallel, each passing

through a different pair of points selected from the plurality of points) [col. 5, lines 30-32]... (claims 35-44: ***reorient the 3D model bringing the set of the axes as close as possible to parallel with the plane of the means for display***)." Final Action Paper No. 20051107, pages 9-10. (Emphasis added).

In alleging obviousness of the claim limitation "***to reorient the 3D model bringing the set of the axes as close as possible to parallel with the plane of the means for display***", the Examiner does not state with specificity where Ono teaches or suggests this limitation, and Appellant finds no such teaching or suggestion in Ono.

For example, at column 3, lines 57-65, and at Figure 4(c), Appellant finds Ono to teach a center O, points P1, P2 and P3, and an axis O-P1, where "the object rotates about the axis (O-P1) by the rotation angle α by specifying point P0 and then determining points P2 and P3." Nowhere does Appellant find any teaching in Ono of the 3D model being ***reoriented such that the plurality of axes are as close as possible to parallel with the plane of the display***, and respectfully submits that the Examiner has not stated with specificity where such a teaching in Ono may be found.

As such, Appellant submits that Ono does not teach or suggest each and every element of the claimed invention arranged ***so as to perform as the claimed invention performs.***

For at least these reasons, Appellant respectfully submits that the Examiner has failed to show where Ono teaches or suggests each and every element of the claimed invention arranged so as to perform as the claimed invention performs, and therefore requests withdrawal of the obviousness rejection under 35 U.S.C. §103(a) and allowance of the noted claims.

C). Claims 45-47 and 49-55 are patentable over Ono in view of Gillio, for at least the reason that they are dependent upon an allowable claim.

Claims 45-47 and 49-55 are dependent claims, the Examiner has not applied Gillio against the respective parent claims, and Appellant submits that Gillio fails to cure the deficiencies of Ono with respect to the parent claims and as discussed above. In view of Appellant's foregoing arguments, Appellant submits that the parent claims are patentable, and that for at least this reason Claims 45-47 and 49-55 are patentable.

In summary, Claims 1-3, 7-9, 11-13, 15-18, 20-28, 30-37, 39-44 and 56-58 are patentable over the art of record, alternatively, at least Claims 26-28 and 30-34 are patentable over the art of

record, and alternatively, at least Claims 35-37 and 39-44 are patentable over the art of record. For the reasons set forth above, Appellant respectfully submits that the application is in condition for allowance, and respectfully requests reversal of the outstanding rejections and allowance of this application.

In the event the Examiner has any queries regarding the submitted arguments, the undersigned respectfully requests the courtesy of a telephone conference to discuss any matters in need of attention.

If there are any additional charges with respect to this Appeal Brief, please charge them to Deposit Account No. 50-2513.

Respectfully submitted,

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VIII. CLAIMS APPENDIX

1. An imaging device comprising:

means for display;

means for processing image data in order to display the data in the form of a 3D model; and

a user interface;

wherein the means for processing is configured to acquire at least two points positioned in the 3D model via the user interface, to deduce the positioning of an axis defined by the two points in the 3D model, and to reorient the 3D model such that the axis is in a predefined orientation relative to a plane of the means for display; and

wherein the means for processing is configured to orient the 3D model in such a manner that the axis defined by the two points indicated by the user is parallel to the plane of the means for display.

2. The device according to claim 1 comprising:

means for positioning an image acquisition system relative to an object, which means implement positioning of the acquisition system to correspond with an orientation of the model as displayed on the means for display.

3. The device according to claim 2 comprising:

an image acquisition system; and

means for orienting by controlling an angular position of the system to correspond with an orientation of the 3D model as defined on means for display.

4-6. (canceled)

7. The device according to claim 1 wherein the means for processing implements rotation of the 3D model about the axis defined by the two points indicated by the user.

8. The device according to claim 2 wherein the means for processing implements rotation of the 3D model about the axis defined by the two points indicated by the user.

9. The device according to claim 3 wherein the means for processing implements rotation of the 3D model about the axis defined by the two points indicated by the user.

10. (canceled)

11. The device according to claim 1 wherein the means for processing causes display of a section view of the 3D model on a section plane which presents a predefined orientation relative to the axis indicated by the user.

12. The device according to claim 2 wherein the means for processing causes display of a section view of the 3D model on a section plane which presents a predefined orientation relative to the axis indicated by the user.

13. The device according to claim 3 wherein the means for processing causes display of a section view of the 3D model on a section plane which presents a predefined orientation relative to the axis indicated by the user.

14. (canceled)

15. The device according to claim 7 wherein the means for processing causes display of a section view of the 3D model on a section plane which presents a predefined orientation relative to the axis indicated by the user.

16. The device according to claim 11 wherein the means for processing moves the section plane progressively under control from the user interface.

17. The device according to claim 12 wherein the means for processing moves the section plane progressively under control from the user interface.

18. The device according to claim 13 wherein the means for processing moves the section plane progressively under control from the user interface.

19. (canceled)

20. The device according to claim 15 wherein the means for processing moves the section plane progressively under control from the user interface.

21. The device according to claim 11 wherein the means for processing moves the section plane in the 3D model while keeping the section plane in a predefined orientation.

22. The device according to claim 16 wherein the means for processing moves the section plane in the 3D model while keeping the section plane in a predefined orientation.

23. The device according to claim 11 wherein the predefined orientation of the section plane is orientated parallel to the axis indicated by the user.

24. The device according to claim 17 wherein the means for processing moves the section plane in the 3D model while keeping the section plane in a predefined orientation.

25. The device according to claim 12 wherein the means for processing moves the section plane in the 3D model while keeping the section plane in a predefined orientation.

26. The device according to claim 1 wherein the means for processing acquires at least three points positioned in the 3D model by means of the user interface, to deduce two axes therefrom each passing through a pair of the points, and to reorient the 3D model in such a manner that the two axes are substantially parallel to the means for display.

27. The device according to claim 2 wherein the means for processing acquires at least three points positioned in the 3D model by means of the user interface, to deduce two axes

therefrom each passing through a pair of the points, and to reorient the 3D model in such a manner that the two axes ar substantially parallel to the means for display.

28. The device according to claim 3 wherein the means for processing acquires at least three points positioned in the 3D model by means of the user interface, to deduce two axes therefrom each passing through a pair of the points, and to reorient the 3D model in such a manner that the two axes are substantially parallel to the means for display.

29. (canceled)

30. The device according to claim 7 wherein the means for processing acquires at least three points positioned in the 3D model by means of the user interface, to deduce two axes therefrom each passing through a pair of the points, and to reorient the 3D model in such a manner that the two axes are substantially parallel to the means for display.

31. The device according to claim 11 wherein the means for processing acquires at least three points positioned in the 3D model by means of the user interface, to deduce two axes therefrom each passing through a pair of the points, and to reorient the 3D model in such a manner that the two axes are substantially parallel to the means for display.

32. The device according to claim 16 wherein the means for processing acquires at least three points positioned in the 3D model by means of the user interface, to deduce two axes therefrom each passing through a pair of the points, and to reorient the 3D model in such a manner that the two axes are substantially parallel to the means for display.

33. The device according to claim 21 wherein the means for processing acquires at least three points positioned in the 3D model by means of the user interface, to deduce two axes therefrom each passing through a pair of the points, and to reorient the 3D model in such a manner that the two axes are substantially parallel to the means for display.

34. The device according to claim 23 wherein the means for processing acquires at least three points positioned in the 3D model by means of the user interface, to deduce two axes therefrom each passing through a pair of the points, and to reorient the 3D model in such a manner that the two axes are substantially parallel to the means for display.

35. The device according to claim 1 wherein the means for processing acquires a plurality of points, to deduce a plurality of axes therefrom that are not all mutually parallel, each passing through a different pair of points selected from the plurality of points, and to reorient the 3D model bringing the set of the axes as close as possible to parallel with the plane of the means for display.

36. The device according to claim 2 wherein the means for processing acquires a plurality of points, to deduce a plurality of axes therefrom that are not all mutually parallel, each passing through a different pair of points selected from the plurality of points, and to reorient the 3D model bringing the set of the axes as close as possible to parallel with the plane of the means for display.

37. The device according to claim 3 wherein the means for processing acquires a plurality of points, to deduce a plurality of axes therefrom that are not all mutually parallel, each passing through a different pair of points selected from the plurality of points, and to reorient the 3D model bringing the set of the axes as close as possible to parallel with the plane of the means for display.

38. (canceled)

39. The device according to claim 7 wherein the means for processing acquires a plurality of points, to deduce a plurality of axes therefrom that are not all mutually parallel, each passing through a different pair of points selected from the plurality of points, and to reorient the 3D model bringing the set of the axes as close as possible to parallel with the plane of the means for display.

40. The device according to claim 11 wherein the means for processing acquires a plurality of points, to deduce a plurality of axes therefrom that are not all mutually parallel, each passing through a different pair of points selected from the plurality of points, and to reorient the 3D model bringing the set of the axes as close as possible to parallel with the plane of the means for display.

41. The device according to claim 16 wherein the means for processing acquires a plurality of points, to deduce a plurality of axes therefrom that are not all mutually parallel, each passing through a different pair of points selected from the plurality of points, and to reorient the 3D model bringing the set of the axes as close as possible to parallel with the plane of the means for display.

42. The device according to claim 21 wherein the means for processing acquires a plurality of points, to deduce a plurality of axes therefrom that are not all mutually parallel, each passing through a different pair of points selected from the plurality of points, and to reorient the 3D model bringing the set of the axes as close as possible to parallel with the plane of the means for display.

43. The device according to claim 23 wherein the means for processing acquires a plurality of points, to deduce a plurality of axes therefrom that are not all mutually parallel, each passing through a different pair of points selected from the plurality of points, and to reorient the 3D model bringing the set of the axes as close as possible to parallel with the plane of the means for display.

44. The device according to claim 26 wherein the means for processing acquires a plurality of points, to deduce a plurality of axes therefrom that are not all mutually parallel, each passing through a different pair of points selected from the plurality of points, and to reorient the 3D model bringing the set of the axes as close as possible to parallel with the plane of the means for display.

45. The device according to claim 1, the device being in command communication with an image sensor, the device further comprising:

means for identifying a final orientation of the 3D model as confirmed by the user; and

means for producing a command signal for physically orienting the image sensor relative to the user in correspondence with the final confirmed orientation.

46. The device according to claim 2, the device being in command communication with an image sensor, the device further comprising:

means for identifying a final orientation of the 3D model as confirmed by the user; and

means for producing a command signal for physically orienting the image sensor relative to the user in correspondence with the final confirmed orientation.

47. The device according to claim 3, the device being in command communication with an image sensor, the device further comprising:

means for identifying a final orientation of the 3D model as confirmed by the user; and

means for producing a command signal for physically orienting the image sensor relative to the user in correspondence with the final confirmed orientation.

48. (canceled)

49. The device according to claim 7, the device being in command communication with an image sensor, the device further comprising:

means for identifying a final orientation of the 3D model as confirmed by the user; and

means for producing a command signal for physically orienting the image sensor relative to the user in correspondence with the final confirmed orientation.

50. The device according to claim 11, the device being in command communication with an image sensor, the device further comprising:

means for identifying a final orientation of the 3D model as confirmed by the user; and

means for producing a command signal for physically orienting the image sensor relative to the user in correspondence with the final confirmed orientation.

51. The device according to claim 16, the device being in command communication with an image sensor, the device further comprising:

means for identifying a final orientation of the 3D model as confirmed by the user; and

means for producing a command signal for physically orienting the image sensor relative to the user in correspondence with the final confirmed orientation.

52. The device according to claim 21, the device being in command communication with an image sensor, the device further comprising:

means for identifying a final orientation of the 3D model as confirmed by the user; and

means for producing a command signal for physically orienting the image sensor relative to the user in correspondence with the final confirmed orientation.

53. The device according to claim 23, the device being in command communication with an image sensor, the device further comprising:

means for identifying a final orientation of the 3D model as confirmed by the user; and

means for producing a command signal for physically orienting the image sensor relative to the user in correspondence with the final confirmed orientation.

54. The device according to claim 26, the device being in command communication with an image sensor, the device further comprising:

means for identifying a final orientation of the 3D model as confirmed by the user; and

means for producing a command signal for physically orienting the image sensor relative to the user in correspondence with the final confirmed orientation.

55. The device according to claim 35, the device being in command communication with an image sensor, the device further comprising:

means for identifying a final orientation of the 3D model as confirmed by the user; and

means for producing a command signal for physically orienting the image sensor relative to the user in correspondence with the final confirmed orientation.

56. A method for displaying a 3D model in imaging comprising:

providing means for display;

providing means for processing in order to display data in the form of a 3D model; and

providing a user interface fitted to the means for processing;

positioning at least two points in the 3D model by means of the user interface;

causing the means for processing to deduce therefrom the position of an axis defined by the points on the 3D model; and

causing the means for processing to reorient the 3D model such that the axis lies in a predefined orientation relative to and parallel with a plane of the means for display.

57. A computer program stored on computer-readable medium comprising code means that when executed on a computer carry out the steps of the means for processing of claim 56.

58. A computer program stored on computer-readable medium carrying code that when executed on a computer carry out the steps of the means for processing of claim 56.

IX. EVIDENCE APPENDIX

There is no evidence submitted pursuant to 37 C.F.R. §1.130, 37 C.F.R. §1.131, or 37 C.F.R. §1.132 or any other evidence entered by the Examiner and relied upon by the Appellant in this appeal, known to the Appellant, Appellant's legal representatives, or assignee.

X. RELATED PROCEEDINGS APPENDIX

There are no other related appeals or interferences known to Appellant, Appellant's legal representatives, or assignee that will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): Laurent Launay	Docket No. 14XZ126397

Application No.	Filing Date	Examiner	Group Art Unit
10/757,859	January 15, 2004	Lay, Michelle K.	2628

Invention:
METHOD AND DEVICE FOR IMAGING WITH REORIENTATION OF AN OBJECT

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TRANSMITTAL OF APPEAL BRIEF (Large Entity)	Docket No. 14XZ126397

In Re Application Of: **Laurent Lanay**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/757,859	January 15, 2004	Lay, Michelle K.	23413	2628	4616

Invention: **METHOD AND DEVICE FOR IMAGING WITH REORIENTATION OF AN OBJECT**

COMMISSIONER FOR PATENTS:

Transmitted herewith is the Appeal Brief in this application, with respect to the Notice of Appeal filed on:
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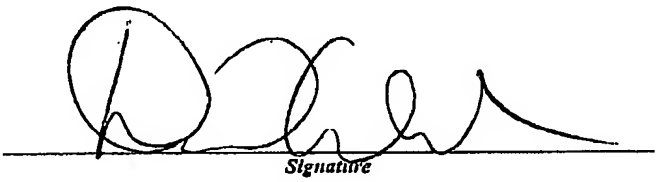

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